# IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA GAINESVILLE DIVISION

JAMES FINCH and JUSTIN FINCH,	)	
A Minor, by and through his	)	
Next Friend, Kim Biondi, and	)	
The ESTATE OF RICKY G. FINCH,	)	
By And through the Temporary	)	
Administrator of his estate,	)	
James Nelson Finch,	)	CIVIL ACTION FILE
	)	NO. 2:10-CV-0062-WCO
Plaintiffs,	)	
	)	
vs.	)	
	)	
DONALD SHANE BROWN, in his	)	
individual capacity, and	)	
PHILLIP STANLEY, in his	)	
individual capacity,	)	
	)	
Defendants.	)	
	)	

## DEFENDANT'S NOTICE OF AND REQUEST FOR FILING ORIGINAL DISCOVERY

COMES NOW DEFENDANT PHILLIP STANLEY, and serves his Notice of Filing Original Discovery, to be used in connection with his Motion for Summary Judgment, filed contemporaneously herewith

(1) Transcript of Deposition of James Otis Finch, taken on February 16, 2010, to be filed upon receipt from court reporter.

Defendant hereby requests Plaintiffs to file the originals of the following discovery in their possession:

- (1) Transcript of Deposition of Phillip Stanley, taken on November 1, 2010;
- (2) Transcript of Deposition of Donald Shane
  Brown, taken on November 1, 2010;
- (3) Transcript of Deposition of Krista Clark, taken on November 3, 2010; and
- (4) Transcript of Deposition of Raymond Gailey, taken on December 7, 2010.

Undersigned counsel for Defendant certifies that the discovery above is necessary for the Court's adjudication of Defendant's Motion for Summary Judgment.

This  $26^{th}$  day of April, 2011.

#### WILLIAMS, MORRIS & WAYMIRE, LLC

/s/ G. Kevin Morris
G. KEVIN MORRIS
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#### CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing NOTICE OF AND REQUEST FOR FILING ORIGINAL DISCOVERY, upon all parties electronically through the Court's CM/ECF system, as follows:

Brian Spears
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1126 Ponce de Leon Avenue
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Andrew H. Marshall Begnaud & Marshall, LLP P. O. Box 8085 Athens, GA 30603-8085

Michaela C. Kendal Timothy J. Buckley, III Buckley Brown 2970 Clairmont Road, NE, Ste 1010 Atlanta, GA 30329 This  $26^{th}$  day of April, 2011.

### WILLIAMS, MORRIS & WAYMIRE, LLC

/s/ G. Kevin Morris
G. KEVIN MORRIS